



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/888,971	06/25/2001	Newel L. Stephens	1067-261/GIP-302/AJU	1409

7590 09/23/2002

Woodard, Emhardt, Naughton, Moriarty and McNett  
Bank One Center/Tower  
111 Monument Circle, Suite 3700  
Indianapolis, IN 46204-5137

EXAMINER

LEE, GUIYOUNG

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 09/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/888,971

Applicant(s)

STEPHENS ET AL.

Examiner

Guiyoung Lee

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on 01 July 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### **DETAILED ACTION**

1. Receipt is acknowledged of the amendment filed July 01, 2002.

#### ***Claim Objections***

2. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. Claim number 26 in the Amended claim does not correspond to the claim number 27 in marked up version of claim.

Misnumbered claim 27 in Marked Up Version of Claims has been renumbered the claim 26.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-6, 10-11, 16-19, 20, 24-28, and 33 are rejected under 35 U.S.C. 102(b) as being anticipated by Roller et al. (USPT 5,934,798) cited by applicant.

Re claim 1,13, 16, 18, 26 and 33: Roller teaches an apparatus for illuminating a license plate of a vehicle having,

- a housing (18) substantially enclosing the plurality of light emitting diodes and the plurality of reflector segments,
- a plurality of reflector segments (28 in Fig. 6), each reflector segment corresponding to one of the plurality of light emitting diodes (12), and

Art Unit: 2875

- a light emitting diode (12) mounted to a substrate (14), and wherein the light emitting diode projects light directed at the reflector (28), the reflector having a surface geometry from redirecting the light through a window (20) in the housing such that it substantially uniformly illuminates the license plate.

Re claims 2, 17 and 27: Roller discloses a transparent cover (20).

Re claim 3 and 19: Roller teaches that the light emitting diode emits white light (col. 2, line 3).

Re claims 4-6, 10-11, 20, 24, 25, and 28 : Roller teaches an attachment member (26), a substrate (14), a potting material (22), a reflector having a smooth surface (See Fig. 2).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 7-9, 12, 15, 22, 23, 29, and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roller et al. as applied to claims 1, 16, 26, and 33 above, and further in view of Kobayashi (USPT 4,868,723) cited by applicant. The teachings of Roller have been discussed above.

Roller does not teach a parabolic reflector. However, Kobayashi discloses that a parabolic reflector redirects the light in a forward direction onto the license plate. It would have been obvious to a person having ordinary skill in the art at the time of the invention to substitute

Kobayashi's parabolic reflector with Roller's reflector, since a parabolic reflector is a well known alternative for a plat reflector as suggested by Roller (col. 2, lines 35-36).

Roller discloses a lensless means (See 28 in Fig.6).

7. Claims 14, 21, 31, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roller as applied to claims 1, 16, 26, and 33 above, and further in view of Pond et al. (USPT 6,095,663) cited by applicant.

Roller does not disclose that a plurality of reflector segment is all part of one reflector. However, Pond discloses a plurality of reflector segment (See Fig. 13). It would have been obvious to a person having ordinary skill in the art at the time of the invention to employ Pond's reflector having a plurality of reflector segment into Roller's lamp because it illuminates the license plate more evenly.

#### ***Response to Arguments***

8. Applicant's arguments filed July 01, 2002 have been fully considered but they are not persuasive. In response to the applicant's argument that "the '798 to Roller et al. does not disclose the claimed reflector having a surface geometry for redirecting the light through a window in the housing such that it substantially uniformly illuminates the license plate, as broadly interpreted of the present claimed invention, Roller's reflector (28) teaches the surface geometry for redirecting the light. Further, Roller's reflector (28) could a "**curved** free form reflector. Furthermore, in response to the applicant's argument that Roller does not teaches a

Art Unit: 2875

"**lensless** means", Roller's reflectors (28) does not have a lens. Therefore, as broadly interpreted of the present claimed invention, Roller teaches the "**lensless** means.

**Conclusion**

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

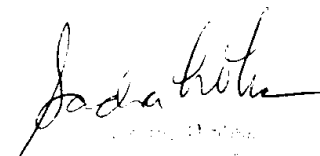
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Guiyoung Lee** whose telephone number is **(703) 308-8567**. The examiner can normally be reached between the hours of 5:30AM to 2:00PM Monday thru Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea, can be reached on (703) 305-4939. The fax phone number for this Group is (703)308-7722, (703)308-7724, or (703)308-7382.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [**Guiyoung.lee@uspto.gov**].

*All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.*

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.



Sandra O'Shea  
Supervisor  
Art Unit 2875

GYL

GAU2875

09/19/2002